

DRAFT
MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, NC

REGULAR MEETING

17 APRIL 2001

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Thomas M. Phillips, Donald R. Vaughan and Nancy Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the flag.

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The City Manager recognized Doug Booth, employee with the Housing and Community Development Department, who served as courier for the meeting.

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The Mayor outlined the procedure for conduct of the meeting.

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Councilmember D. Vaughan introduced and read into the minutes a resolution honoring the late Honorable Lunsford Richardson Preyer. Following brief remarks by the Mayor, Councilmember Johnson thereupon moved adoption of the resolution, the motion was seconded by Councilmember Burroughs-White; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

88-01 RESOLUTION HONORING THE LATE HONORABLE LUNSFORD RICHARDSON
PREYER

WHEREAS, on April 3, 2001, this community lost one of its most outstanding leaders with the death of Lunsford Richardson Preyer at the age of 82;

WHEREAS, a native of Greensboro, Congressman Preyer graduated from Princeton University, earned his law degree at Harvard Law School, and earned a Bronze Star on Okinawa with the Navy during World War II before returning to Greensboro to become a municipal Court Judge;

WHEREAS, in 1961 Mr. Preyer was appointed Federal Judge of the Middle District Court by President John F. Kennedy and in 1968, he was elected to the U.S. Congress, 6th District of North Carolina where he served until 1980;

WHEREAS, as a Congressman he served as chairman of the Select Committee on Ethics which drew up the Congressional Code of Ethics and chairman of the House Committee on Assassination of President Kennedy and Martin Luther King;

WHEREAS, he and his wife, Emily, were well known throughout the State as a team who worked together for over 50 years in civic, charitable and political affairs and it is said by Former Superior Court Judge Tom Ross

that Preyer was the “definition of a statesman, a lifelong public servant who never stopped trying to make things better for other people” and further by Gov. Mike Easley that “he will be remembered most for his high character and integrity. He was above all else a true gentleman”;

WHEREAS, Mr. Preyer attended First Presbyterian Church and was an elder, teacher/member of the Young Men’s Bible Class and a chairman of the board of trustees;

WHEREAS, at the time of his death he was co-chairman of the Guilford Battleground Co.; member of the board of the National Humanities Center; chairman of Coastal Futures Committee; trustee: Mary Reynolds Babcock Foundation; H. Smith Richardson Foundation; N.C. Institute of Political Leadership; Woodrow Wilson Center; Uplift, Inc. and the N.C. Institute of Medicine as well as having served as a trustee of the National Nature Conservancy; Hastings Institute of Medicine; Greensboro National Bank; director of Vanguard Cellular Systems, Inc. and Piedmont Management, Inc.;

WHEREAS, he served in this community in many other ways and was honored as chairman of the board of the North Carolina Outward Bound School; commissioner, Greensboro Little League and Pony Baseball programs, honorary chairman of the Greater Greensboro Open (GGCC); “Uncle Jo Cannon” Award for outstanding leadership; Distinguished Service Award at the UNC School of Medicine; and recipient of the Phillip Hart Memorial Award for Conscience by Washingtonian Magazine;

WHEREAS, the City Council wishes to express its great sense of loss and its sincere appreciation and gratitude for the many outstanding contributions he made to this community, and the legacy he leaves.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO; that,

1. The City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life and memory of Lunsford Richardson Preyer, and
2. A copy of this resolution shall be delivered to the family of the late Lunsford Richardson Preyer, as a symbol of the gratitude of this Council and of the people of Greensboro for his many outstanding contributions to this community.

(Signed) Yvonne Johnson

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Barry New, Urban Forestry Specialist from the North Carolina Division of Forest Resources presented a Tree City USA Award to the City for the 10th consecutive year. He stated that the City also qualified for the Tree City Growth Award based on a higher level of commitment to urban forestry, specifically, Greensboro’s adoption of a new tree preservation ordinance and creation of an urban forester position. Mr. New spoke to partnership efforts with the National Arbor Day Foundation, the North Carolina Division of Forestry and Greensboro. The Mayor expressed appreciation on behalf of the City for these awards.

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The Mayor announced that the City was celebrating Housing and Community Development Week and that a proclamation had been issued in recognition of Community Development Week. The Mayor thanked the Housing and Community Development Department for their fine work.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-12 Residential Single Family to Conditional Use—RM-5 Residential Multifamily for property located west of the terminus of Penton Place east of Lake Brandt Road and north of Knightbridge Road; he advised

that this matter was being heard on appeal filed by David B. Michaels after receiving a 5-3 vote by the Zoning Commission to recommend denial of the rezoning. He stated that a request had been received from both proponents and opponents that this item be continued to the May 1, 2001 meeting of Council and that both parties were present in the Chamber. Councilmember D. Vaughan moved to continue the item to the May 1st meeting without further advertising. The motion was seconded by Councilmember Jones and unanimously adopted by voice vote of the Council.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-12 Residential Single Family to Conditional Use—RM-8 Residential Multifamily for property located on the southeast side of Lake Jeanette Road between Abbot Drive and Beech Grove Drive. He stated this matter was being heard on appeal filed by James M. Millican after receiving a 7-1 vote by the Zoning Commission to recommend denial of the rezoning.

The Mayor administered the oath to those who wished to speak to this matter.

C. Thomas Martin, Planning Department Director, provided the following staff presentation.

REQUEST – ITEM 7

This request is to rezone property from RS-12 Residential Single Family to Conditional Use – RM-8 Residential Multifamily.

The RS-12 District is primarily intended to accommodate single family detached dwellings at a density of 3.0 units per acre or less.

The RM-8 District is primarily intended to accommodate duplexes, townhouses, cluster housing, and similar residential uses at a density of 8.0 units per acre or less.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Maximum of 22 townhomes for sale.
- 2) Developer shall dedicate and build Cottage Place Extension across southwest corner of property.
- 3) Build and maintain a decorative opaque fence along the eastern property line and to supplement this fence with leland cypress trees ten feet on center.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 3.962 acres and is located on the southeast side of Lake Jeanette Road between Abbot Drive and Beech Grove Drive.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	RS-12	Single family dwelling & vacant land
North	RS-12	Single family dwelling & vacant land
East	RS-12	Single family dwellings on Old Orchard Lane
South	RS-12	Single family dwelling & vacant land
West	RS-12(CL)	Single family dwellings on Cottage Place

Mr. Martin outlined the request; presented a map and slides of the property and surrounding area; stated the Zoning Commission had recommended denial of the request and that the Planning Department recommended approval of the request.

The Mayor asked if anyone wished to speak to this matter.

Henry Isaacson, attorney with offices located at 101 W. Friendly Avenue, represented the applicant, Jim Millican of Millican Construction Company and spoke in favor of the rezoning. Mr. Isaacson provided information to Council; read the original conditions proposed for the rezoning; and requested condition #3 be amended to include the condition that the leland cypress trees would be planted with a minimum of six feet. He then requested the following addition of new conditions: 1) All units shall be a maximum of one and one-half stories in height. 2) All townhouses shall be of brick construction with wood or other accents. 3) All townhomes shall have an enclosed garage. 4) Developer will locate the townhouses on the subject property so as to retain the existing trees, to the extent possible. 5) The rear of each townhome shall be enclosed by a wood or brick privacy fence. 6) There shall be an irrigation system installed in the planting yard along Cottage Place extension. 7) Plant a row of leland cypress trees (with a minimum height of 6 feet) along the northeast line of the subject property, 10 feet on center. 8) No trash compactor and no dumpster shall be located on the property other than for the purpose of collection and removal of construction debris. 9) All street and other lighting shall be in harmony with the buildings constructed on the subject property, and shall be sufficient to provide adequate security for the inhabitants without disturbing adjoining property owners. Each townhome shall have at least one exterior post lamp. 10) The developer shall control storm water run off from all proposed built-upon areas and other new development areas on the site through the use of wet detention ponds or other best management practices meeting performance standards set forth in the City of Greensboro Watershed Protection regulations. The pond will be designed to control the ten year storm event. A security fence shall be erected around any detention pond.

Councilmember D. Vaughan moved that the ordinance be amended to add the conditions as requested by Mr. Isaacson. The motion was seconded by Councilmember Jones and unanimously adopted by voice vote of the Council.

Mr. Isaacson presented photographs of various other locations for illustrative purposes to convey planned design elements of the proposed development. Lengthy discussion regarding the proposed conditions of the rezoning and the characteristics of the existing neighborhood followed. Mr. Isaacson stated the reasons he felt the proposed rezoning met the goals of smart growth policy with respect to infill and legal requirements. He noted that he had met with the neighborhood residents several times and requested Council to support the proposal.

Tom Taylor, residing at 1613-B Westover Terrace, stated he was a real estate appraiser and had reviewed the proposal in terms of assessing surrounding property values. Speaking in favor of the request, he shared his opinions with respect to the impact the development would have on the value of surrounding properties.

The following speakers voiced opposition to the rezoning request.

Gary Beaver, residing at 10 Silver Oak Court, stated he opposed the rezoning. Speaking to the number of petitioner's signatures, he presented Council with a copy of a petition purportedly signed by residents opposing the proposal and a map that indicated the location of residences of the petitioners. He requested those present in the Chamber opposing the zoning request to stand. Mr. Beaver expressed his concerns that the proposal had characteristics of spot zoning, the impact of topographical features of the building sight, the impact of the development on the wooded characteristics of the property and surrounding area, the proximity of the development to neighboring residences, and existing and planned development in the area.

Susan Rizzy, residing at 16 Old Orchard Lane, expressed concern about potential damage to property values in the neighborhood. She described the physical characteristics of the neighborhood and the possible impact of the higher density development proposal, which in her opinion, lacked an adequate buffer between properties. Ms. Rizzy presented photographs of the subject property and surrounding properties.

Jeanine Konopelski, residing at 14 Old Orchard Lane, voiced concern with respect to the impact of the

proposed development on neighborhood property values.

Ryan Dancy, residing at 4708 Lake Jeanette Road, thanked Councilmembers who had visited his property. He explained that the outcome of a previous zoning case for the same subject property had provided the basis for his decision to spend a substantial sum of money on remodeling his home. Mr. Dancy requested the Council uphold the Zoning Commission's decision to deny the request.

Vince Ambrosiani, residing at 4628 Lake Jeanette Road, expressed concern for the safety of current and future residents with respect to traffic concerns due to growth in the area and a lack of sidewalks. He requested Council to reject the proposal.

Paul Lowder, residing at 4236 Lake Jeanette Road, requested Council consider the existing numbers and types of dwellings in the area as a sufficient level of development. Mr. Lowder shared his opinion that the amount of land to buildings in the area and the inclusion of mixed use properties was currently at a reasonable limit.

Robert Little, residing at 6 Montford Court, stated that he was president of the homeowners association and expressed on their behalf, opposition to the request.

Elaine Shields, residing at 2110 Cottage Place Forest, expressed concerns regarding impact of traffic on the quality of the neighborhood and the impact of additional development on water pressure in her home.

Adam Fischer, Department of Transportation Engineering Division Manager, provided an update on roadway improvements in the Lake Jeanette Road and Painter Loop area; he noted that a series of public meetings was in progress. He estimated the time line for design and construction of the improvements.

The Mayor explained that just prior to the rebuttal periods, the opposing sides would have the opportunity to each ask a question of each other and the option to respond to those questions. He asked if anyone wished to speak to pose a question to the other side. No one wished to ask a question.

Speaking in favor of the request, Mr. Isaacson shared his opinions regarding case evidence and the impact the development would have on Orchard Lane properties in response to concerns outlined by the opponents during the hearing.

Ms. Shields and Mr. Beaver requested Council to deny the proposed request on the basis that people in the neighborhood had made their decisions to invest in their homes on the basis of the current zoning.

Councilmember Phillips moved that the public hearing be closed. The motion was seconded by Councilmember Jones and unanimously adopted by voice vote of the Council.

Mr. Martin provided the following staff recommendation.

Item 7 – Lake Jeanette Road

The Planning Department recommends that this request be approved.

There is a diversity of housing types and densities in the Lake Jeanette Road and Cottage Place area.

The Mallard Lakes and Beechwood Apartments on Cottage Place are zoned RM-12.

The Northbrook and Woodridge townhouses are zoned RM-12 and RM-5 respectively.

The single family developments on the northwest side of Lake Jeanette Road opposite the subject property are zoned RS-12 (Cluster).

To the north on the southeast side of Lake Jeanette Road is the Whitehall townhouse development which is zoned CU-RM-5 and the Morgan Place townhouses, zoned CU-RM-5, are to the south.

The density of the proposed development is approximately 6 units per acre.

Staff feels that this is a reasonable request, especially in light of Planning Department objectives for encouraging compact urban development that promotes a diversity of housing types, an efficient use of land, and the control of urban sprawl by promoting infill types of development.

Councilmember D. Vaughan requested the Planning Director's opinion with respect to the request resulting in spot zoning. Mr. Martin stated that in his opinion, the request would not result in spot zoning. Council discussed land topography and tree loss with respect to the pending approval of the plan by the TRC committee if the rezoning were adopted. Mr. Martin confirmed the illustrative nature of the plan.

Various Councilmembers stated they could not support the request due to numerous concerns they had. Councilmember Perkins cited inadequate tree retention; Councilmember Phillips spoke to the proposed proximity of the development to adjacent property; Councilmember N. Vaughan stated that in her opinion, for successful infill development, there needed to be designated low density areas to balance high density land use; Councilmember Johnson cited concern that the density was too radical for the area; Councilmember Carmany offered her opinion that infill development should occur as a planned aspect of development rather than as an afterthought.

Councilmember Jones and the Mayor stated they would support the rezoning request because they believed it met the legal criteria for adoption.

Councilmember Phillips moved that the public hearing be closed. The motion was seconded by Councilmember Jones and unanimously adopted by voice vote of the Council.

Councilmember Phillips moved denial of the ordinance rezoning this property to Conditional Use – RM-8 Residential Multifamily based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed use of the property for townhouses.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because there currently is a diversity of housing types and densities in the Lake Jeanette Road and Cottage Place area.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because this proposal meets the objectives of encouraging compact urban development that promotes a diversity of housing types, an efficient use of land, and the control of urban sprawl by promoting infill types of development.

The motion was seconded by Councilmember Perkins; the ordinance was DEFEATED on the following roll call vote: Ayes: Noes: Burroughs-White, D. Vaughan, Holliday, Jones. Noes: Carmany, Johnson, Perkins, Phillips, N. Vaughan

(A copy of the ordinance as introduced and defeated is filed in Exhibit Drawer N, Exhibit Number19 and is hereby referred to and made a part of these minutes.)

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Moving to the Consent Agenda, Councilmember Perkins removed item number 23 from the consent agenda.

Councilmember D. Vaughan moved adoption of the consent agenda as amended. The motion was seconded by Councilmember Johnson; the amended consent agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes:

None.

89-01 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2001-09 WITH JIMMY R. LYNCH & SONS, INC. FOR STORM SEWER IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for four storm sewer improvement projects throughout the City;

WHEREAS, Jimmy R. Lynch & Sons, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$245,911.00 as general contractor for Contract No. 2001-09, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Jimmy R. Lynch & Sons, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 403-7001-01.6018-CBR 010.

(Signed) Donald R. Vaughan

(A tabulation of bids for the contract with Jimmy R. Lynch & Sons, Inc. for storm sewer improvements project is filed with the above resolution and is hereby referred to and made a part of these minutes).

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90-01 RESOLUTION FOR APPROVING LOCAL WATER SUPPLY PLANS

WHEREAS, North Carolina General Statute 143-355(1) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a local water supply plan;

WHEREAS, as required by the statute and in the interests of sound local planning, a water supply plan for the City of Greensboro, has been developed and submitted to the City of Greensboro City Council for approval;

WHEREAS, the City of Greensboro City Council finds that the water supply plan is in accordance with the provisions of North Carolina Statute 143-355(1) and that it will provide appropriate guidance for the future development of water supplies for the City of Greensboro, as well as useful information to the Department of Environment and Natural Resources for the development of a State water supply plan as required by statute.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO;

1. That the water supply plan entitled, Water Supply for the City of Greensboro dated September 25, 1998, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and
2. That the City of Greensboro City Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

(Signed) Donald R. Vaughan

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91-01 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2000-14 WITH JIMMY R. LYNCH & SONS, INC. FOR WATER AND SEWER IMPROVEMENTS

WHEREAS, Contract No. 2000-14 with Jimmy R. Lynch & Sons, Inc. provides for various water and sewer improvements throughout the City;

WHEREAS, the City is adding the Sedgewood Lane Water Project to this Contract, thereby necessitating a change order in the contract in the amount of \$126,500.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Jimmy R. Lynch & Sons, Inc. for the water and sewer improvements project is hereby authorized at a total cost of \$126,500.00, payment of said additional amount to be made from Account No. 503-7061-01.6016 CBR 002.

(Signed) Donald R. Vaughan

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92-01 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 1, 2001 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON THE WEST SIDE OF YANCEYVILLE STREET – 48.51 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 6th day of July, 1999, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE WEST SIDE OF YANCEYVILLE STREET – 48.51 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limit line (as of March 31, 2001), said point being the southeast corner of Lot 1 of Turnbridge Apartments, Phase 2, as recorded at Plat Book 132, Page 50 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS N 58° 29' 54" E 1013.40 feet along the south line of Lot 1 (14.943 acres) of Turnbridge Apartments, as recorded at Plat Book 118, Page 149 in the Office of the Register of Deeds to a point in the western right-of-way line of Yanceyville Street; thence in a southerly direction with said right-of-way line approximately 1,500 feet to its intersection with the south line of Barcroft Associates; thence with Barcroft's south line the following bearings and distances: N 89° 28' 40" W 200.58 feet to a point, N 89° 31' 05" W 100.10 feet to a point, N 89° 27' 53" W 97.94 feet to a point, N 89° 29' 13" W 91.98 feet to a point, N 89° 29' 50" W 88.80 feet to a point, N 89° 27' 30" W 350.82 feet to a point, N 1° 25' 23" E 35.04 feet to a point, N 89° 26' 48" W 895.83 feet to a point, S 0° 33' 49" W 34.76 feet to a point, N 89° 16' 31" W 99.08 feet to Barcroft's southwest corner; thence S 89° 24' 57" W approximately 680 feet along the former south line of Barcroft to the intersection of said line and the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a northerly and then a northeasterly direction approximately 2150 feet to the point and place of BEGINNING, and containing approximately 48.51 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by

voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 1, 2001 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 21, 2001.

(Signed) Donald R. Vaughan

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93-01 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 1, 2001 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 5205 BURLINGTON ROAD – 1.298 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 17th day of April, 2001, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 5205 BURLINGTON ROAD – 1.298 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at Woodie P., Jr. and Brenda R. White's southwest corner, said point also being in the northern right-of-way line of US Highway 70; thence N 16° 35' 40" E 308.78 feet along White's west line to White's northwest corner; thence S 68° 07' 54" E 154.18 feet along White's north line to White's northeast corner; thence S 3° 14' 57" W 301.59 feet along White's east line to White's southeast corner; thence along the northern right-of-way line of US Highway 70 N 73° 51' 03" W 202.57 feet to a monument; thence continuing along said right-of-way line N 72° 16' W 20.58 feet to the point and place of BEGINNING, and containing approximately 1.298 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time

of annexation unless such fees have already been paid to the County. Any unpaid utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 1, 2001 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 21, 2001.

(Signed) Donald R. Vaughan

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94-01 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 1, 2001 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 2296 ZORNBROOK DRIVE – 0.284 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 17th day of April, 2001, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 2296 ZORNBROOK DRIVE – 0.284 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the southwest corner of Lot 25 of Phase II of Zornbrook Valley, recorded in Plat Book 115, Page 16 in the Office of the Register of Deeds of Guilford County, said point also being on the eastern right-of-way line of Zornbrook Drive; thence N 3° 00' 13" E 117.00 feet along said Lot 25's west line along said eastern right-of-way line to the northwest corner of said lot; thence S 64° 25' 50" E 153.00 feet along the north line of said lot to the northeast corner of said lot; thence S 3° 00' 13" W 58.28 feet along the east line of said lot to its southeast corner; thence N 86° 59' 47" W 141.29 feet along the south line of said lot to the point and place of BEGINNING, being all of said Lot 25 and containing 0.284 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation unless such fees have already been paid to the County. Any unpaid utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 1, 2001 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 21, 2001.

(Signed) Donald R. Vaughan

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95-01 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 1, 2001 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 1407, 1404 AND 1408 HYALYN COURT – 1.014 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 17th day of April, 2001, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 1407, 1404 AND 1408 HYALYN COURT – 1.014 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the southwest corner of Lot 21 of Phase II of Zornbrook Valley, recorded in Plat Book 115, Page 16 in the Office of the Register of Deeds of Guilford County, said point also being on the northern right-of-way line of Hyalyn Court; thence N 30° 52' 17" E 130.96 feet along said Lot 21's west line to the northwest corner of said lot; thence S 64° 25' 50" E 110.00 feet along the north line of said lot to the northeast corner of said lot; thence S 43° 54' 27" W 157.84 feet along the east line of said lot to its southeast corner; thence in a

southwesterly direction, crossing Hyalyn Court, approximately 53 feet to the northeast corner of Lot 12 of said subdivision; thence S 41°58' 42" W 136.27 feet along the east line of said Lot 12 to its southeast corner; thence S 66° 08' 14" E 133.69 feet along the north line of Lot 14 of said subdivision to a point on the western right-of-way line of Hyalyn Court; thence S 44° 19' 37" W along said right-of-way line with a curve to the right having a radius of 100 feet a chord distance of 25.00 feet to a point; thence continuing along said right-of-way line S 27° 55' 46" W with a curve to the left having a radius of 60 feet a chord distance of 48.00 feet to the southeast corner of said Lot 14; thence N 85° 58' 46" W 142.79 feet along the south line of said Lot 14 to its southwest corner; thence N 9° 28' 02" E 123.65 feet along the west line of said Lot 14 to its northwest corner; thence N 48° 31' 46" W 24.78 feet along the south line of said Lot 12 to its southwest corner; thence N 27° 02' 37" E 137.54 feet along the west line of said Lot 12 to its northwest corner; thence in a northeasterly direction, crossing Hyalyn Court, approximately 80 feet to the point and place of BEGINNING, and containing approximately 1.014 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation unless such fees have already been paid to the County. Any unpaid utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 1, 2001 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 21, 2001.

(Signed) Donald R. Vaughan

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96-01 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 1, 2001 ON THE ANNEXATION OF
TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 1413 HYALYN COURT – 0.335
ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 17th day of April, 2001, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 1413 HYALYN COURT – 0.335 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the northwest corner of Lot 19 of Phase II of Zornbrook Valley, recorded in Plat Book 115, Page 16 in the Office of the Register of Deeds of Guilford County, said point also being on the eastern right-of-way line of Hyalyn Court; thence N 89° 31' 09" E 167.31 feet along said lot's north line to the northeast corner of said lot; thence S 17° 34' 58" W 121.30 feet along the east line of said lot to its southeast corner; thence N 72° 21' 39" W 143.04 feet along the south line of said lot to its southwest corner; a point on the eastern right-of-way line of Hyalyn Court; thence N 3° 58' 10" E along said right-of-way line with a curve to the right having a radius of 100 feet a chord distance of 27.09 feet to a point; thence continuing along said right-of-way line N 4° 55' 16" E with a curve to the left having a radius of 160 feet a chord distance of 44.02 feet to the point and place of BEGINNING, being all of said Lot 19 and containing approximately 0.335 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation unless such fees have already been paid to the County. Any unpaid utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 1, 2001 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 21, 2001.

(Signed) Donald R. Vaughan

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97-01 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 1, 2001 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 1424 AND 1426 ALAMANCE CHURCH ROAD; 2403 BREWINGTON-SIBERT PLACE AND 2503, 2504 AND 2506 WILPAR DRIVE – 6.75 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 17th day of April, 2001, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 1424 AND 1426 ALAMANCE CHURCH ROAD; 2403 BREWINGTON-SIBERT PLACE; AND 2503, 2504 AND 2506 WILPAR DRIVE – 6.75 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the northeast corner of Lot 150 of Section 3, Map 1 of Wilpar Estates, rerecorded in Plat Book 126, Page 129 in the Office of the Register of Deeds of Guilford County; thence S 28° 23' 14" W 282.37 feet along the east line of said lot to its southeast corner; thence N 47° 46' 13" W 150 feet along the south line of said lot to its southwest corner; thence S 82° 57' 33" W 130.0 feet along the south line of Lot 149 of Section 3, Map 1 of Wilpar Estates, recorded in Plat Book 75, Page 15 in the Office of the Register of Deeds, to the southwest corner of said Lot 149; thence N 6° 36' W 255.15 feet along the west line of said Lot 149 to the northwest corner of said Lot 149, said corner also being on the southern right-of-way line of Wilpar Drive; thence in a northwesterly direction, crossing Wilpar Drive, approximately 60 feet to the southwest corner of Lot 131 of said Map 1; thence N 7° 42' 54" W 203.35 feet along the west line of said Lot 131 to the easternmost corner of Lot 133 of said Map 1; thence S 69° 06' 47" W 273.26 feet along the southeast line of said Lot 133 to the southernmost corner of said Lot 133, said corner also being on the eastern right-of-way line of Brewington-Sibert Place; thence N 20° 53' 13" W 13.04 feet along said right-of-way line to a point; thence continuing along said right-of-way line with a curve to the left having a radius of 60 feet a chord bearing and distance of N 6° 48' 18" W 86.21 feet to the northwest corner of said Lot 133; thence N 37° 16' 24" E 223.29 feet along the northwest line of said Lot 133 to its northernmost corner; thence S 70° 15' 16" E 315.98 feet along the south lines of Lots 124 and 125 of said Map 1 to the southwest corner of Lot 126 of Section 3, Map 1 of Wilpar Estates, rerecorded in Plat Book 137, Page 111 in the Office of the Register of Deeds; thence N 25° 29' 27" E 258.11 feet to the northwest corner of said Lot 126; thence along the southern right-of-way line of Alamance Church Road S 64° 30' 33" E 360 feet to the northeast corner of Lot 127 of Section 3, Map 1 of Wilpar Estates, rerecorded in Plat Book 126, Page 128 in the Office of the Register of Deeds; thence S 25° 29' 27" W 242.25 feet along the east side of said Lot 127 to its southeast corner; thence N 63° 47' 33" W 180.01 feet along the south line of said Lot 127 to its southwest corner; thence N 70° 15' 16" W 99.49 feet along the south line of said Lot 126 to the northeast corner of said Lot 131; thence S 7° 24' 13" W 246.86 feet along the east line of said Lot 131 to its southeast corner, said corner also being on the northern right-of-way line of Wilpar Drive; thence in a southeasterly direction, crossing Wilpar Drive, approximately 90 feet to the northwest corner of said Lot 150; thence in an easterly direction along the southern right-of-way line of Wilpar Drive 209.71 feet to the point and place of BEGINNING, containing approximately 6.75 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation unless such fees have already been paid to the County. Any unpaid utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 1, 2001 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 21, 2001.

(Signed) Donald R. Vaughan

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98-01 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 1, 2001 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT URCH ROAD – 0.940 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 17th day of April, 2001, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 1430 ALAMANCE CHURCH ROAD – 0.940 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the northwest corner of Lot 177 of Section 2 of Wilpar Estates, rerecorded in Plat Book 140, Page 118 in the Office of the Register of Deeds of Guilford County, said corner being at the intersection of the southern right-of-way line of Alamance Church Road and the eastern right-of-way line of Parker-Baldwin Lane; thence S 64° 57' 43" E 173.69 feet along the southern right-of-way line of Alamance Church Road to the northeast corner of said lot; thence S 25° 05' 15" W 237.77 feet along the east line of said lot to its southeast corner; thence N 64° 25' 41" W 177.56 feet along the south side of said lot to its southwest corner, said corner also being on the eastern right-of-way line of Parker-Baldwin Lane; thence along said right-of-way line with a curve to the left having a radius of 816.66 feet a chord bearing and distance of N 29° 40' 58" E 79.64 feet to a point; thence continuing along said right-of-way line N 24° 09' 58" E 156.76 feet to the point and place of BEGINNING, and containing 0.940 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation unless such fees have already been paid to the County. Any unpaid utility line assessments which may have been levied by the County shall

be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 1, 2001 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 21, 2001.

(Signed) Donald R. Vaughan

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99-01 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 1, 2001 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 2605 WILPAR DRIVE – 0.990 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 17th day of April, 2001, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 2605 WILPAR DRIVE - 0.990 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the northernmost corner of Lot 174 of Section 2 of Wilpar Estates, recorded in Plat Book 65, Page 36 in the Office of the Register of Deeds of Guilford County; thence S 61° 36' 45" E 210.00 feet along the northeast line of said lot to its east corner; thence S 31° 17' 36" W 211.38 feet along the southeast line of said lot to its southernmost corner, said corner also being on the northeastern right-of-way line of Wilpar Drive; thence along said right-of-way line in a northwesterly direction 199.29 feet to the westernmost corner of said lot; thence N 28° 23' 15" E 210.60 feet to the point and place of BEGINNING, and containing 0.990 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation unless such fees have already been paid to the County. Any unpaid utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of

same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 1, 2001 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 21, 2001.

(Signed) Donald R. Vaughan

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100-01 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 1, 2001 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 2708 AND 2801 WILPAR DRIVE – 2.03 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 17th day of April, 2001, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 2708 AND 2801 WILPAR DRIVE – 2.03 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the northwest corner of Lot 162 of Section 1 of Wilpar Estates, recorded in Plat Book 65, Page 3 in the Office of the Register of Deeds of Guilford County; thence S 83° 34' 00" E 175.0 feet to the northeast corner of said Lot 162, said corner also being on the western right-of-way line of Wilpar Drive; thence along said right-of-way line S 6° 26' 10" W 220.14 feet to a point; thence S 83° 33' 50" E 260.0 feet, crossing Wilpar Drive and then following the north line of Lot 168 of said subdivision, to the northeast corner of said Lot 168; thence S 6° 26' 10" W 240.0 feet along the east line of said Lot 168 to its southeast corner; thence N 83° 16' 00" W 200.0 feet along the south line of said Lot 168 to its southwest corner; thence N 6° 26' 10" E 230.0 feet along the eastern right-of-way line of Wilpar Drive to a point; thence N 83° 33' 50" W 60.0 feet to the intersection of the western right-of-

way line of Wilpar Drive and the northern right-of-way line of Chiles-Higgins Court; thence N 83° 16' W 175.0 feet along said northern right-of-way line to the southwest corner of said Lot 162; thence N 6° 26' 10" E 228.19 feet along the west side of said Lot 162 to the point and place of BEGINNING, containing approximately 2.03 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation unless such fees have already been paid to the County. Any unpaid utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 1, 2001 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 21, 2001.

(Signed) Donald R. Vaughan

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101-01 RESOLUTION CALLING A PUBLIC HEARING FOR MAY 1, 2001 ON THE ANNEXATION OF
TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 1414 PHIFER-LUTHER COURT –
0.519 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 17th day of April, 2001, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 1414
PHIFER-LUTHER COURT – 0.519 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the northwest corner of Lot 191 of Section 4, Phase 1, Map 1 of Wilpar Estates, recorded in Plat Book 96, Page 141 in the Office of the Register of Deeds of Guilford County, said point also being on the southern right-of-way line of Phifer-Luther Court; thence along said right-of-way line with a curve to the left a chord bearing and distance of S 89° 26' 35" E 95.00 feet to the northeast corner of said lot; thence S 1° 18' 25" E 216.29 feet along the east line of said lot to its southeast corner; thence N 83° 15' 55" W 121.85 feet along the south line of said lot to its southwest corner; thence N 5° 56' 00" E 203.96 feet along the west side of said lot to the point and place of BEGINNING, being all of said Lot 191 and containing approximately 0.519 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation unless such fees have already been paid to the County. Any unpaid utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after July 31, 2001, the liability for municipal taxes for the 2001-2002 fiscal year shall be prorated on the basis of 11/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2001. Municipal ad valorem taxes for the 2002-2003 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after July 31, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, May 1, 2001 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than April 21, 2001.

(Signed) Donald R. Vaughan

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102-01 RESOLUTION AUTHORIZING THE CONVEYANCE OF A PORTION OF THE ABANDONED RAILROAD RIGHT OF WAY ABUTTING THE MICKEL HOPKINS BUILDING TO FAMILY AND CHILDREN'S SERVICES OF GREATER GREENSBORO FOUNDATION, INC.

WHEREAS, on September 7, 1999, Council approved the conveyance of the Mickel Hopkins building, and real property, to Family and Children's Services of Greater Greensboro Foundation, Inc., a tax-exempt corporation providing support programs for the citizens of Greensboro;

WHEREAS, the referenced conveyance was made subject to conditions as set out in the Resolution adopted on that date;

WHEREAS, the City now wishes to convey to the Foundation pursuant to the same, or additional, conditions a portion of an abandoned railroad right of way that abuts the Mickel Hopkins property;

WHEREAS, that portion to be conveyed abuts and lies to the north of the Mickel Hopkins Building being 12 feet in width and running west approximately 120 feet, more or less, from the west margin of Lyndon Street.

NOW, THEREFORE BE IT RESOLOVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the above referenced tract be conveyed by non-warranty deed to the Family & Children's Services of Greater Greensboro Foundation, Inc., containing the referenced conditions of the previous conveyance and others as might be approved by the City Manager.

The Mayor and City Clerk are authorized to execute the deed on behalf of the City of Greensboro.

(Signed) Donald R. Vaughan

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01-85 ORDINANCE AMENDING FY 00-01 ANNUAL BUDGET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 00-01 Budget of the City of Greensboro is hereby amended as follows:

SECTION 1

That the appropriation to the Welfare to Work Grant Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
215-0299-50.4110	Salaries and Wages	\$1,043,923

and, that this increase be financed by increasing the Welfare to Work Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
215-0299-50.7100	Federal Grant	\$1,043,923

SECTION 2

That the appropriation to the Workforce Investment Act Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0211-10.4120	Salaries and Wages - PT	\$ 8,484
216-0231-34.5520	Seminar/Training Expense	\$76,332
216-0251-50.4110	Salaries and Wages	\$23,529
216-0251-51.5613	Maint. and Repair of Buildings	\$30,204
216-0281-83.5931	Contributions	<u>\$2,721,000</u>

TOTAL:		\$2,859,549
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And, that this increase be financed by increasing the Workforce Investment Act Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0211-10.7100	Federal Grant	\$ 8,484
216-0231-30.7100	Federal Grant	\$76,332
216-0251-50.7100	Federal Grant	\$23,529

216-0251-51.7100	Federal Grant	\$30,204
216-0281-80.7100	Federal Grant	<u>\$2,721,000</u>
TOTAL:		\$2,859,549

SECTION 3:

That the appropriation for the Workforce Investment Act Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0210-10.5411	Auditing Services	\$ 3,996
216-0230-30.4110	Salaries and Wages	\$ 33,481
216-0240-42.5255	Rental of Land and Bldg.	\$ 2,486
216-0250-51.5520	Seminar/Training Expense	\$ 3,000
216-0270-74.5520	Seminar/Training Expense	\$ 69,161
216-0271-47.4110	Salaries and Wages	\$ 4,864
216-0271-70.4110	Salaries and Wages	<u>\$ 54,718</u>
TOTAL:		\$ 171,706

and, that this increase be financed by increasing the following Workforce Investment Act Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
216-0210-10.7100	Federal Grant	\$ 3,996
216-0230-30.7100	Federal Grant	\$ 33,481
216-0240-40.7100	Federal Grant	\$ 2,486
216-0250-50.7100	Federal Grant	\$ 3,000
216-0270-70.7110	Federal Grant	\$ 69,161
216-0271-70.7110	Federal Grant	<u>\$ 59,582</u>
TOTAL:		\$ 171,706

SECTION 4:

That the appropriation for the Job Training Consortium Fund be decreased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
215-0270-74.7110	State Grant	\$ 94,704
215-0299-20.7100	Federal Grant	\$ 3,996
215-0299-30.7100	Federal Grant	\$ 2,486
215-0299-46.7100	Federal Grant	\$ 3,000
215-0299-60.7100	Federal Grant	\$ 33,481
215-0299-74.7110	Federal Grant	<u>\$ 69,161</u>
TOTAL:		\$ 206,828

and, that this decrease be financed by reducing the following Job Training Consortium Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
215-0270-47.4110	Salaries and Wages	\$ 6,009
215-0270-47.4510	FICA Contribution	\$ 460

215-0270-47.4520	Retirement Contribution	\$ 541
215-0270-47.4610	Health Coverage	\$ 481
215-0270-47.4650	Dental Coverage	\$ 120
215-0270-47.4710	Life Insurance	\$ 120
215-0270-74.4110	Salaries and Wages	\$ 47,668
215-0270-74.4510	FICA Contribution	\$ 3,647
215-0270-74.4520	Retirement Contribution	\$ 4,290
215-0270-74.4610	Health Coverage	\$ 3,813
215-0270-74.4650	Dental Coverage	\$ 953
215-0270-74.4710	Life Insurance	\$ 953
215-0270-74-4730	Worker's Compensation	\$ 199
215-0270-74-5510	Business and Meetings	\$ 250
215-0270-74.5520	Seminar/Training Expense	\$ 250
215-0270-74.5540	Mileage Reimbursement	\$ 250
215-0270-74.5710	Insurance Premiums	\$ 500
215-0270-75.5212	Computer Software	\$ 200
215-0270-75.5225	Organization Memberships	\$ 250
215-0270-75.5261	Books	\$ 1,000
215-0270-75.5520	Seminar/Training Expense	\$ 7,500
215-0270-75.5931	Contributions	\$ 15,000
215-0270-75.5949	Miscellaneous	\$ 250
215-0299-32.5255	Rental of Land and Bldg.	\$ 2,486
215-0299-40.4110	Salaries and Wages	\$ 3,996
215-0299-46.5520	Seminar/Training Expense	\$ 3,000
215-0299-47.5931	Contributions	\$ 4,129
215-0299-63.5261	Books	\$ 2,142
215-0299-63.5520	Seminar/Training Expense	\$ 31,339
215-0299-74.4110	Salaries and Wages	\$ 19,050
215-0299-74.4510	FICA Contribution	\$ 207
215-0299-74.5520	Seminar/Training Expense	\$ 12,363
215-0299-75.5261	Books	\$ 4,412
215-0299-75.5520	Seminar/Training Expense	\$ 15,000
215-0299-75.5931	Contributions	<u>\$ 14,000</u>
TOTAL:		\$ 206,828

(Signed) Donald R. Vaughan

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A motion to make a part of the minutes report of budget adjustments covering March 1-31, 2001 was unanimously adopted by Council. (A copy of the report is filed in Exhibit Drawer N, Exhibit Number 1, which is hereby referred to and made a part of these minutes.)

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A motion to approve minutes of regular meeting of 3 April 2001 was unanimously adopted by Council.

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Mayor Holliday introduced a resolution authorizing the sale of East McCullough Street from the Redevelopment Commission of Greensboro to the Greensboro Housing Development Partnership for exterior stabilization.

Councilmember Perkins stated that his interest in removing this item was to put on record his opinion that the price of lots should be closer to market price.

Andy Scott, Director of the Housing and Community Development Department, explained that Council's action was to transfer property from the Redevelopment Commission to the Greensboro Housing Development .

Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Johnson and adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Phillips, Vaughan and Vaughan. Noes: Perkins.

103-01 RESOLUTION AUTHORIZING THE SALE OF 420 EAST MC CULLOCH STREET FROM THE REDEVELOPMENT COMMISSION OF GREENSBORO TO GREENSBORO HOUSING DEVELOPMENT PARTNERSHIP FOR EXTERIOR STABILIZATION

WHEREAS, the Redevelopment Commission of Greensboro currently owns the house located at 420 East McCulloch Street in the Ole Asheboro neighborhood which is in need of exterior stabilization and repair;

WHEREAS, the Greensboro Housing Development Partnership has approved the exterior stabilization and repair project and is currently working on the rehabilitation of two properties located in the vicinity of 420 East McCulloch Street;

WHEREAS, once the exterior stabilization is underway the Greensboro Housing Development Partnership will sell the house to an owner or investor for completion of the interior renovation within one year after the purchase;

WHEREAS, the total cost of the project is \$111,200.00 with a contingency of \$7,500.00 for a total of \$118,700.00 with Preservation Greensboro, Inc. committing \$15,775.00 and Architectural Salvage committing \$10,000.00 which will reduce the total cost to \$92,925.00;

WHEREAS, the City will be required to underwrite approximately \$75,000.00 of the exterior rehabilitation work which is covered under the City approved 1995 program for grants and deferred second mortgages for the sale of historic houses owned by the Redevelopment Commission of Greensboro.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the sale of 420 East McCulloch Street from the Redevelopment Commission of Greensboro to the Greensboro Housing Development for exterior rehabilitation is hereby approved.

(Signed) Donald R. Vaughan

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The Mayor introduced a Resolution authorizing the City Attorney to institute proceedings to condemn portion of the property of Max Dewey Ballinger and wife, Patricia Ann Ballinger (marital interest only), and Emily Ballinger, unmarried, in connection with the Bledsoe Liftstation and Force Main. He advised this matter was continued from the 3 April 2001 meeting of Council.

The City Manager spoke to the number of letters and certified letters staff had mailed to the Ballingers regarding notification of the condemnation; outlined communication that had taken place between the Ballingers and staff meetings; and spoke to phone conversations with the Ballingers.

Jonathan Ballinger, residing at 6308 Ballinger Road, showed slides of his property when the City installed a sewer line approximately 20 years ago and expressed concern over the result of the contractor's work on his farm land at that time. He presented an arial photograph of the property and surrounding area; discussed various plans for property surrounding his farm; and estimated the cost to run the sewer line around instead of through the property. Mr. Ballinger stated he did not wish to access the sewer line.

Max Ballinger, residing at 6200 Ballinger Road, requested the City to install the sewer line around instead of through the family property. He spoke to his plans to maintain the farm as open space; outlined his understanding

of the history of water lines in the area; and noted the family had received a settlement following the previous sewer line installation.

Steve Kennedy, Director of Engineering and Inspections, reported that the contractor was responsible for the past sewer line installation and had absorbed most of the settlement costs. Mr. Kennedy advised that the City estimated the Ballinger's proposal cost to be \$70,000-\$80,000 more expensive than the City's plan. Councilmember Jones and D. Vaughan expressed concern with the condemnation, when in their opinion, an alternative existed. Following brief discussion, the City Attorney advised that this was a case of taking property for good of public versus private industry in terms of a health safety and welfare issue, not a price issue.

Councilmember Phillips moved that the resolution be adopted. The motion was seconded by Councilmember Perkins. Following additional discussion, Councilmember Phillips moved to call the question. The motion was seconded by Councilmember Perkins and adopted by an 8-1 voice vote of Council. The resolution was adopted on the following roll call vote: Ayes: Carmany, Holliday, Perkins, Phillips, and N. Vaughan Noes: Burroughs-White, Jones, and D. Vaughan.

104-01 RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN PORTION OF THE PROPERTY OF MAX DEWEY BALLINGER and wife, PATRICIA ANN BALLINGER (marital interest only), and EMILY BALLINGER, unmarried, IN CONNECTION WITH THE BLEDSOE LIFTSTATION AND FORCE MAIN PROJECT

WHEREAS, Max Dewey Ballinger and wife, Patricia Ann Ballinger (marital interest only) and Emily Ballinger, unmarried, are the owners of certain property located on Ballinger Road, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Bledsoe Liftstation and Force Main Project;

WHEREAS, negotiations with the owners at the appraised value of \$7,405.00 have been unsuccessful and said portion of property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owners in the amount of \$7,405.00;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$7,405.00 to the Clerk of Superior Court as compensation to the owners, payment to be made from Account No. 503-7062-01.6012 CBR 001.

(Signed) Thomas M. Phillips

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The Mayor introduced a resolution approving bid in the amount of \$1,380,640 and authorizing execution of Contract No. 2001-04 for MLK Streetscape. Council briefly discussed expectations pertaining to the project.

Councilmember Phillips moved that the resolution be adopted. The motion was seconded by Councilmember D. Vaughan. The resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Johnson, Jones, Perkins, Phillips, N. Vaughan and D. Vaughan. Noes: None.

105-01 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2001-04 WITH TRI-STATE CONSULTANTS FOR MLK STREETSCAPE IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for the Martin Luther King Jr., Drive streetscape improvements project;

WHEREAS, Tri-State Consultants, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$1,380,640.00 as general contractor for Contract No. 2001-04, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Tri-State Consultants is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 431-6002-37.6014 CBR 065 in the amount of \$770,650.00 and from Account No. 402-4531-01.6019 CBR 009 in the amount of \$609,990.00.

(Signed) Thomas M. Phillips

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The Mayor introduced a resolution authorizing the Interlocal Agreement approving the sharing of the City of Greensboro/Guilford County 800 MHZ Radio System with the City of Burlington and authorizing Agreement with the City of Burlington regarding the sharing of system resources.

Following brief remarks by the Manager, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

106-01 RESOLUTION AUTHORIZING THE INTERLOCAL AGREEMENT APPROVING THE SHARING OF THE CITY OF GREENSBORO/GUILFORD COUNTY 800 MHZ RADIO SYSTEM WITH THE CITY OF BURLINGTON AND AUTHORIZING AGREEMENT WITH THE CITY OF BURLINGTON REGARDING THE SHARING OF SYSTEM RESOURCES

WHEREAS, as requested by the City of Burlington, there is a necessity to develop a technical design and a financial agreement between Guilford County, the City of Burlington and the City of Greensboro to allow the City of Burlington to add on to the Guilford/Greensboro 800 MHz Radio System;

WHEREAS, the parties intend to enter into an Interlocal Agreement detailing the financial and maintenance provisions for the addition of Burlington to said radio system;

WHEREAS, it is deemed in the best interest of the City to enter into an Interlocal Agreement with the City of Burlington for the shared use of the Guilford/Greensboro 800 MHz Radio System, and such Agreement is presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That an Interlocal Agreement approving the sharing of the City of Greensboro/Guilford County 800 MHz Radio System with the City of Burlington is hereby approved, and the City Manager is hereby authorized to execute said Agreement on behalf of the City.

(Signed) Earl Jones

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The Mayor introduced a resolution directing the filing of an application with the North Carolina Local Government Commission for approval of the issuance and private sale of City of Greensboro, North Carolina

Combined Enterprise System Revenue Bonds, Series 2001A and Series 2001B, and requesting the North Carolina Local Government Commission to approve the financing team in connection therewith.

RESOLUTION DIRECTING THE FILING OF AN APPLICATION WITH THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF THE ISSUANCE AND PRIVATE SALE OF CITY OF GREENSBORO, NORTH CAROLINA COMBINED ENTERPRISE SYSTEM REVENUE BONDS, SERIES 2001A AND SERIES 2001B, AND REQUESTING THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING TEAM IN CONNECTION THEREWITH

WHEREAS, the City of Greensboro, North Carolina (the "City"), acting by and through its City Council, is authorized by The State and Local Government Revenue Bond Act of North Carolina, Article 5 of Chapter 159 of the North Carolina General Statutes, as amended (the "Act"), and particularly Sections 159-83(a)(5) and 159-81(3)a and b thereof, to issue revenue bonds for the purpose of financing the cost of acquisition, construction, reconstruction, enlargement, equipping, extension, betterment or improvement of facilities for obtaining, conserving, treating and distributing water for domestic or industrial use, irrigation, sanitation, fire protection, or any other public or private use and the collection, treatment, purification or disposal of sewage and to refund revenue bonds issued for such purposes; and

WHEREAS, the City owns and operates facilities for the production, collection, treatment, transmission and distribution of water and the collection, transmission, treatment and disposal of sewage; and

WHEREAS, the City proposes to issue its Combined Enterprise System Revenue Bonds, Series 2001A and Series 2001B (collectively, the "Series 2001 Bonds") in an aggregate principal amount not exceeding \$60,000,000, for the purpose of providing funds, together with other available funds, to (i) refund all of the City's Combined Enterprise System Revenue Bonds, Series 1995B, (ii) pay for the cost of certain improvements to the City's water system and sanitary sewer system (collectively, the "2001 Projects"), (iii) pay interest on the Series 2001A Bonds until December 1, 2002 and (iv) pay certain costs incurred in connection with the issuance of the Series 2001 Bonds; and

WHEREAS, the City wishes to obtain the approval by the North Carolina Local Government Commission (the "Local Government Commission") of the financing team to be used in connection with the issuance and sale of the Series 2001 Bonds;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA DOES HEREBY DETERMINE AND RESOLVE, as follows:

1. The City Council hereby finds and determines in connection with the issuance of the Series 2001 Bonds that (i) the issuance of the Series 2001 Bonds is necessary or expedient for the City, (ii) the proposed principal amount of the Series 2001 Bonds is adequate and not excessive for the proposed purpose of such issue, (iii) the 2001 Projects are feasible, (iv) the City's debt management procedures and policies are good and the City's finances are managed in strict compliance with law and (v) under current economic conditions, the Series 2001 Bonds can be marketed at a reasonable interest cost to the City.
2. The City Council hereby authorizes the filing of an application with the Local Government Commission for approval of the issuance of the Series 2001 Bonds pursuant to Section 159-86 of the Act and hereby directs Richard L. Lusk, Finance Director of the City, as the representative of the City, to file such application with the Local Government Commission.
3. The Local Government Commission is hereby requested to sell the Series 2001 Bonds at private sale without advertisement to any purchaser or purchasers thereof, at such price as the Local Government Commission determines to be in the best interest of the City, subject to the approval of the City.
4. The City Council hereby recommends the following financing team members be engaged in connection with the issuance and sale of the Series 2001 Bonds and requests the approval of the Local Government Commission thereof:

Co-Bond Counsel	Brown & Wood LLP Steve Allen, Esq.
Underwriters for the Series 2001A Bonds	Banc of America Securities LLC Legg Mason Wood Walker, Incorporated
Underwriter for the Series 2001B Bonds	Banc of America Securities LLC
Underwriters' Counsel	Poyner & Spruill, L.L.P.
Feasibility Consultant	SVBK Consulting Group, Inc.
Trustee and Bond Registrar	First-Citizens Bank & Trust Company
Tender Agent for the Series 2001B Bonds	First-Citizens Bank & Trust Company
Remarketing Agent for the Series 2001B Bonds	Banc of America Securities LLC
Liquidity Provider for the Series 2001B Bonds	First Union National Bank

The City Attorney then announced that she had approved as to form the foregoing resolution. Thereupon, upon motion of Councilmember Burroughs-White, seconded by Councilmember Jones, the resolution entitled “RESOLUTION DIRECTING THE FILING OF AN APPLICATION WITH THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF THE ISSUANCE AND PRIVATE SALE OF CITY OF GREENSBORO, NORTH CAROLINA COMBINED ENTERPRISE SYSTEM REVENUE BONDS, SERIES 2001A AND SERIES 2001B, AND REQUESTING THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING TEAM IN CONNECTION THEREWITH” was adopted by roll call vote. The vote upon the adoption of said resolution was:

Ayes: Councilmembers Burroughs-White, Carmany, Holliday, Jones, Perkins, Phillips, N. Vaughan, D. Vaughan.
Noes: None.

The Mayor then announced that the resolution entitled: “RESOLUTION DIRECTING THE FILING OF AN APPLICATION WITH THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF THE ISSUANCE AND PRIVATE SALE OF CITY OF GREENSBORO, NORTH CAROLINA COMBINED ENTERPRISE SYSTEM REVENUE BONDS, SERIES 2001A AND SERIES 2001B, AND REQUESTING THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING TEAM IN CONNECTION THEREWITH” had been adopted by a vote of 9 to 0.

(Signed) Claudette Burroughs-White

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The Mayor introduced a resolution approving capital fund expenditures not to exceed \$500,000 from a portion of the seventy percent (70%) net proceeds of the occupancy tax received by the Greensboro/Guilford County Tourism Development Authority from the original Guilford County three percent (3%) room occupancy tax for the development of Animal Discovery at the Natural Science Center of Greensboro.

At the request of the City Attorney, Councilmember D. Vaughan moved that the resolution be deleted from the agenda. The motion was seconded by Councilmember Jones and unanimously adopted by voice vote of the Council.

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Bob Doss, residing at 5916 Firewood Trail, expressed concerns regarding recent changes in baseball field use policies with respect to an increase in field fees, tournament fees and rule changes. He spoke to his understanding of the economic impact of pony league activities on hotel and restaurant business activity in Greensboro.

Councilmember Phillips noted that in the recent briefing on this matter, he had not received information with respect to some of the details outlined by Mr. Doss. The Mayor requested Mr. Voss to provide in writing to Council the information he had read so they could address these issues.

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Michael Selvaggio, residing at 827 Lazywood Drive, presented to Council information with the names of residents in the neighborhood, who were requesting a traffic signal at the corner of Randleman Road and Nestleway Drive. Citing increased traffic in the area, he stated that his wife had previously inquired about conducting a traffic study. He further stated that earlier in the day, his wife received information from the Greensboro Transportation Department regarding their request to the North Carolina State Department to install a traffic signal at this location. The City Manager confirmed the City had already initiated this action.

Cathy Brooks, representing Capstone Management Company, owner of the Treybrooke Village Apartment complex, spoke to the volume of traffic from these apartments. She presented additional petition signatures in support of the traffic signal.

Adam Fischer, Engineering Manager in the Transportation Department, estimated the time frame for North Carolina Department of Transportation to complete processing the request.

(The petitions provided to Council are filed in Exhibit Drawer N, Exhibit Number 19 and are hereby referred to and made a part of these minutes.)

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Councilmember Johnson updated Council on the National Forum for Black Public Administrator's Conference she recently attended.

Councilmember Burroughs-White requested the City Manager to change the schedule for the upcoming presentation on the White Street Landfill tentatively, originally scheduled for a Council Briefing, to the regular meeting scheduled on June 19th so that more citizens would have the opportunity to hear an indepth presentation. Councilmember Burroughs-White moved that Council direct the City Manager to add the landfill update to the June 19, 2001 regular meeting agenda. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of the Council.

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Councilmember D. Vaughan requested staff to investigate concerns regarding reports of noise disturbance created by homeless people in the former Kmart distribution parking lot on Penry Road. The City Manager advised that staff would investigate and follow up on this request.

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Councilmember Carmany updated Council with respect to information received at a recent Transportation Advisory Committee (TAC) regarding noise walls along interstate highways and the Painter Boulevard outer loop. She advised that ordinance review and revision should be considered because no provision existed to provide noise walls for residential areas built after the Painter Loop plan was approved. Councilmember D. Vaughan noted that the TAC had made a formal motion to notify Council when noise walls would be built and discussed various options with respect to aesthetics.

The City Manager advised that staff would review the development ordinance and possible recommend changes to Council. He noted that the North Carolina Secretary of Transportation would be in Greensboro on April 24th and encouraged the Council to take this opportunity to discuss transportation issues with the Secretary.

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Councilmember Phillips voiced concern regarding a lack of agreement in the community with respect to smart growth. He expressed his opinion that Council needed to define their role in related policy planning and let staff know their position with respect to smart growth. Council discussed this matter and related issues at length.

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Mentioning a letter the Mayor sent to the Guilford County Board of Commissioners regarding sales tax allocation and distribution methods, Councilmember Perkins expressed concern that he did not agree with the position stated in the letter and that his opinion had not been included. He stated the County would be voting on the matter later in the week. The Mayor discussed the basis of the letter and suggested Councilmember Perkins could make a motion to amend the Council's position stated therein.

Council discussed their individual positions with respect to sales tax allocation and distribution methods. Councilmember Phillips recommended the City needed to say to the Commissioners to go ahead and reallocate sales tax to compensate for services provided by the City to small towns and talk about receiving payment for County services we are providing. Councilmember Perkins moved Councilmember Phillip's recommendation as stated.

Council debated varying viewpoints regarding the letter; services the City provides to the County; and various strategies they could pursue to meet the City's current and future revenue needs with respect to sales tax distribution. The Mayor expressed concern about the timing of proposing or agreeing to a major change in the City's sales tax distribution and use agreement with the County; he offered to amend the letter to the County Commissioners to reflect Council's interest in considering a change in sales tax distribution.

Councilmember Perkins reaffirmed his motion that Greensboro City Council ask County Commissioners to change the method of sales tax allocation in the County. Following Council comments that more language was needed, the City Manager recommended the motion be expanded to address the point that if the County merely changed the allocation method, the City would lose \$800 thousand to \$1million. Councilmember Jones expressed opposition to the motion on the floor and Councilmember Perkins moved to add to his motion to reflect that lost revenue would be replaced by other revenue from the County compensating the City for direct expenses incurred providing services for residents in the unincorporated areas. The motion died for lack of a second.

Councilmember N. Vaughan recommended imposing user fees in the next budget with respect to Parks and Recreation and Library user fees for non-Greensboro residents while keeping the current allocation methods. The Manager noted that discount fees for city residents were already being implemented for Parks and Recreation Services and water annexation.

Following additional discussion with respect to sales tax policy, the City Manager encouraged an amendment in reference to the letter the Mayor sent stating the City's opposition to a change in Sales tax distribution to add another paragraph that stated, however, the City of Greensboro would be willing to support a change in the sales tax distribution formula if the County would be willing to develop an alternative financial agreement that would at a minimum keep the revenue received by the City of Greensboro under the current method of distribution at the same amount including future growth. Councilmember Perkins moved to amend his motion as stated above by the City Manager. The motion was seconded by Councilmember Phillips.

Councilmember Jones offered the substitute motion that Council support the Mayor's letter already forwarded to the County Commissioners. The motion died for lack of a second.

Councilmember Perkins amended motion was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Perkins, Phillips, Vaughan and Vaughan. Noes: Jones.

The Mayor stated he would amend his letter accordingly and deliver it to the County Commissioners Office.

(Copies of the original letter and the amended letter are filed in Exhibit Drawer N, Drawer Number 19 and are hereby referred to and made a part of these minutes.)

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Councilmember Johnson moved that the name of Randy Jones be added to the boards and commissions data bank for consideration of future service on the Board of Electrical Examiners.

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Council discussed various recent and upcoming community events.

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The Manager noted the schedule for the upcoming briefing and reception with Transportation Secretary at Bryan Park on April 24th and invited Council to attend an opening reception for the Bryan Park Club House prior to the briefing.

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Councilmember Johnson moved to adjourn the meeting. The motion was seconded by Councilmember Jones and unanimously adopted by voice vote of the Council.

THE CITY COUNCIL ADJOURNED THE MEETING AT 10:10 P.M.

Susan E. Crotts
Deputy City Clerk

Keith A. Holliday
Mayor
